

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DEANNA JOY STRATTON,

Plaintiff,

v.

Case No.: 2:21-cv-154-SPC-NPM

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER¹

Before the Court is the Commissioner's Unopposed Motion for Entry of Judgment with Remand. ([Doc. 25](#)). A remand is proper based on the following:

The Commissioner believes remand is appropriate to have the agency: obtain supplemental vocational evidence, resolving inconsistencies between the job numbers outlined in the Dictionary of Occupational Titles (DOT) and the Selected Characteristics of Occupations Defined in the Revised Dictionary of Occupational Titles (SCO) for the jobs cited. Further, the Administrative Law Judge should make factual findings on whether the job numbers provided constitute significant numbers in the national economy. The Administrative Law Judge should also consider any additional issues, update the administrative record as necessary, offer the claimant

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the opportunity for a hearing, and issue a new decision.

(Doc. 25 at 1). Plaintiff does not oppose the Motion.

Under 42 U.S.C. § 405(g), the Court has the power to enter judgment, reversing and remanding a social security case for rehearing. *See also Shalala v. Schaefer*, 509 U.S. 292, 296-98 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 101-02 (1991). Given the parties' representations and agreement on the matter, the Court grants the Motion, reverses, and remands for further proceedings. *See Morgan v. Astrue*, No. 2:11-cv-615-FtM-29SPC, 2012 WL 695840, at *1 (M.D. Fla. Mar. 1, 2012).


Accordingly, it is now

ORDERED:

1. The Commissioner's Unopposed Motion for Entry of Judgment with Remand (Doc. 25) is **GRANTED**.
2. The decision denying benefits is **REVERSED** and this case is **REMANDED** under sentence four of 42 U.S.C. § 405(g) for further proceedings.
3. Any application for fees, costs, or expenses must comply with the Court's Standing Order on Management of Social Security Cases, *In re Administrative Orders of the Chief Judge*, Case No. 3:21-mc-1-TJC, Doc. 43 (Dec. 7, 2021).

4. The Clerk is **DIRECTED** to enter judgment, terminate all deadlines, deny any pending motions as moot, and close the case.

DONE and **ORDERED** in Fort Myers, Florida on April 28, 2022.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record